

### **REMARKS**

Claims 1 - 41 are pending in the present application. However, claims 34 and 35 were previously withdrawn from consideration.

Applicants note with appreciation that in section 14 of the Office Action, the Examiner indicates that claims 9 – 16, 20 – 29 and 38 would be allowable if rewritten in independent form. However, Applicants believe that all of the independent claims are now in condition for allowance, and as such, an amendment of claims 9 – 16, 20 – 29 and 38 does not appear to be necessary.

In section 2 of the Office Action, claims 7, 8 and 39 are rejected under 25 U.S.C. 112, second paragraph, and in section 6 of the Office Action, claim 39<sup>1</sup> is also rejected under 35 U.S.C. 101. Applicants are amending claims 7, 8 and 39 to address these rejections. Reconsideration and withdrawal of the section 112 rejection and the section 101 rejection are respectfully solicited.

In section 8 of the Office Action, claims 1 – 8, 17 – 19, 32, 33, 36, 37, 40 and 41 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over several claims of U.S. Patent No. 6,570,168. Applicants are submitting herewith a terminal disclaimer to obviate the double patenting rejection. Thus, Applicants respectfully request withdrawal of the double patenting rejection of claims 1 – 8, 17 – 19, 32, 33, 36, 37, 40 and 41.

Applicants note that the Office Action does not indicate a status of the patentability of claims 30 and 31. As such, Applicants respectfully request that in the next communication, the Office **provide an indication of the status of the patentability of claims 30 and 31.**

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<sup>1</sup> The Office Action states that claim 36 is rejected. On April 3, 2006, during an informal telephone conversation, Examiner Varone indicated that the Office Action should have stated that claim 39, rather than claim 36, is rejected.

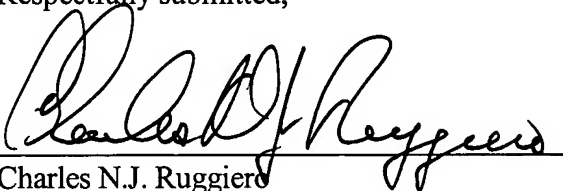
As mentioned above, claims 34 and 35 were previously withdrawn from consideration. Claims 34 and 35 depend from claim 33, and Applicants believe that claim 33 is now in condition for allowance. Accordingly, Applicants are requesting that the Office **rejoin claims 34 and 35**.

As mentioned above, Applicants are amending claims 7, 8 and 39 to address rejections under 35 U.S.C. §§ 101 and 112. None of the amendments is intended to narrow the scope of any term of any claim, and therefore, the doctrine of equivalents should be available for all of the terms of all of the claims.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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Date

  
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